

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LINCOLN BENEFIT LIFE COMPANY,

Plaintiff,

v.

JENNIFER DIEGUEZ et al.,

Defendants.

CASE NO. 3:22-cv-05305-DGE

ORDER ON MOTION FOR  
EXTENSION OF TIME FOR  
SERVICE OF PROCESS


This matter comes before the Court on Plaintiff Lincoln Benefit Life Company's Motion to Extend Deadline for Service of Process. (Dkt. No. 7.) Plaintiff filed this interpleader action on May 3, 2022, seeking a declaration confirming the Mark D. Johnson's changes to his life insurance policy were valid and allocations should be made to the named beneficiaries. (Dkt. No. 1 at 3.) Plaintiff seeks this declaratory relief against Defendants Jennifer Dieguez and Joel Johnson, the Personal Representatives of the Estate of Mark D. Johnson, as well as Denise Johnson, Melanie Love, Janelle Johnson, Melissa Boyer, Ryan Johnson, and Frances Hauser. (*Id.* at 1.)

1 Plaintiff claims to have served five named Defendants—Melanie Love, Frances Hauser,  
2 Melissa Boyer, Diane Johnson, and Janelle Johnson. (Dkt. No. 8 at 2.) Plaintiff did not serve  
3 Defendants Ryan Johnson, Joel Johnson, and Jennifer Dieguez “because the parties settled in  
4 principle before service occurred.” (*Id.*) On August 1, 2022, the day service was due, Plaintiff  
5 filed a Motion to Extend the Deadline for Service of Process until September 30, 2022, pursuant  
6 to Federal Rule of Civil Procedure 4(m). (Dkt. No. 7 at 1.) Defendants did not respond, and the  
7 matter is now ripe for consideration.

8 Federal Rule of Civil Procedure 4(m) provides, if a plaintiff shows good cause for their  
9 failure to serve a defendant within 90 days after the complaint was filed, “the court must extend  
10 the time for service for an appropriate period.” In this case, Plaintiff seeks an extension because  
11 the parties have agreed to a settlement in principle but “require additional time to finalize and  
12 memorialize their settlement and the accompanying documentation as required.” (Dkt. No. 7 at  
13 2.) Accordingly, the Court finds good cause for a 60-day extension of the deadline for service of  
14 process. Having considered Plaintiff’s motion, and the remainder of the record, the Court finds  
15 and ORDERS that Plaintiff’s Motion to Extend Deadline for Service of Process (Dkt. No. 7) is  
16 GRANTED.

17 Plaintiff shall serve Defendants Ryan Johnson, Joel Johnson, and Jennifer Dieguez no  
18 later than September 30, 2022.

19  
20 Dated this 18th day of August 2022.

21  
22  
23  
24  
  
\_\_\_\_\_  
David G. Estudillo  
United States District Judge